



DEPARTMENT OF THE NAVY
CRANE DIVISION
NAVAL SURFACE WARFARE CENTER
300 HIGHWAY 361
CRANE INDIANA 47522-5001

IN REPLY REFER TO:

5720

00L/19F4.2

March 22, 2019

Mrs. LaKisha Hall
520 South Walnut Street
Bloomington, IN 47402

SUBJECT: FREEDOM ON INFORMATION ACT CASE 2019-F-4
DON-NAVY-2019-002090

Dear Mrs. Hall:

This is a final response to your December 14, 2018, Freedom of Information Act (FOIA) requesting the release of "document/records associated with the CERO Investigation. The CERO Investigation(s) was completed within the last sixty days against Stephen Cecil and Dennis Wallace."

A thorough search of NSWC Crane's files was conducted, specifically those located in the CERO Office (00N). Knowledgeable personnel who oversee and specialize in CERO Records conducted an extensive search of their files and determined there was one (1) responsive record.

In regards to the record, we have reviewed the documentation and determined that some portions are releasable; however, some portions of your record request must be withheld or redacted in part or in their entirety under 5 U.S.C 552(b)(5), 5 U.S.C 552(b)(6) and/or 5 U.S.C 552(b)(7)(c).

In accordance with Exemption 5 [5 U.S.C 552(b)(5)], we have taken the liberty to redact pre-decisional and deliberative information, the disclosure of which would be detrimental to the Navy's decision-making process by creating a chilling effect on the expression of candid opinions and inhibiting the free and frank exchange of information among agency personnel.

In accordance with Exemption 6 [5 U.S.C 552(b)(6)], we have taken the liberty, for privacy reasons, to redact the personally identifiable information (PII) of individuals from the record. Pursuant to FOIA subsection (b)(6), the disclosure of

information which would cause a clearly unwarrantable invasion of privacy of an individual is protected from disclosure. In reviewing documentation for release, the Agency is required to: (1) determine whether the disclosure of the document would constitute an invasion of privacy, (2) assess if there is a public interest, and (3) weigh the privacy interest against the public interest.

And lastly, in accordance with Exemption 7c [5 U.S.C 552(b)(7)(c)], we have taken the liberty, for privacy reasons, to redact the personally identifiable information (PII) of individuals from the record that have been compiled for law enforcement purposes. It applies to Administrative, civil or criminal law enforcement investigations. Similar to Exemption 6, the Agency must weigh the privacy interest against the public interest.

If you disagree with the determination, you may appeal the matter to:

Department of Navy
Office of the General Counsel
1000 Navy Pentagon, Room 5A532
Washington, DC 20350-1000.

Your appeal must be postmarked no later than 90 calendar days from this letter, and should include a copy of your initial request, a copy of this letter, and a statement indicating why you think your appeal should be granted. We recommend you're your appeal and its envelope both bear the notation "Freedom of Information Act Appeal." In addition, you have the right to seek assistance and/or dispute resolution services from the Department of the Navy FOIA Public Liaison, Mr. Christopher Julka, at Christopher.a.julka@navy.mil or (703)697-0031. You may contact the Office of Government Information Services (OGIS) for assistance and/or dispute resolution at ogis@narr.gov or 1(877)684-6448. For more information online about services provided by OGIS, please visit their website at <https://ogis.archives.gov>.

As it was received, you agreed to pay FOIA processing fees of up to \$25.00. You were assigned to the "other" fee category. As per the FOIA Improvement Act of 2016, due to the response time to your request exceeding the statutorily regulated time you will not be charged for this request.

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Questions regarding the action taken by this office to process your request may be directed to Sara Gibson at (812) 854-5297 or by email at sara.gibson@navy.mil.

Sincerely,

A handwritten signature in black ink, appearing to read 'M.H. Oesterreich', with a long horizontal flourish extending to the right.

M.H. OESTERREICH
Captain, U.S. Navy
Commanding Officer, NSWC Crane

Enclosure: Responsive Document (1)